



City of Puyallup

**Planning Division**

333 S. Meridian, Puyallup, WA 98371

(253) 864-4165

www.cityofpuyallup.org

PRELIMINARY\*

**MITIGATED DETERMINATION OF  
NON-SIGNIFICANCE (MDNS)**

*\*This determination will become final if no formal appeals are filed and/or reconsideration requests are duly received*

for

**ARCO #7184 AM/PM Fueling Facility - New Development**

**Preliminary Site Plan, SEPA Checklist**

Project # PLPSP20220079

[Online Permit File](#)

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Date of Issuance:	June 27, 2023
Description of Proposal:	The proposed scope of work includes the construction of a new 3,349-square-foot ARCO AMPM convenience store, a 49'x129' fuel canopy with eight (8) multi-product dispensers (MPDs), a 25,000-gallon underground storage tank (UST), and a 22,000-gallon split UST (12,000/10,000) allocated for diesel and premium fuel. Additionally, the project will include the construction of a detached 24'x48' car wash with a single drive-through lane and one (1) vacuum station. Site improvements will include surface parking for 21 vehicles, including four (4) EV charging spaces, interior and perimeter landscaping, off-street improvements, exterior lighting, source control, spill prevention, signage, pedestrian walkways, and trash and recycling enclosure. The existing restaurant building will be demolished to accommodate new improvements.
Location of Proposal:	1402 S MERIDIAN, PUYALLUP, WA 98371;
Proponent:	Barghausen Consulting Engineers
Lead Agency Responsible Official:	Katie Baker, AICP City of Puyallup Planning Division 333 S. Meridian Puyallup, WA 98371 (253) 864-4165 www.cityofpuyallup.org
City of Puyallup Permits:	< STAFF TO COMPLETE >
Zoning:	CG

Comprehensive Plan: AOC

Shoreline Environment: N/A

#### **A. PROJECT SPECIFIC MATERIALS (INCORPORATION BY REFERENCE – WAC 197-11-635):**

The subject Threshold Determination herein and associated environmental findings are based upon review of the following documents submitted by the applicant and official responses from the city in regard to the underlying permit(s). These documents are incorporated by reference, in accordance with WAC 197-11-635, and are available for public review. Please note, due to the current COVID-19 “Stay Home, Stay Healthy” order, Puyallup City Hall is currently closed to the public. To request access to electronic copies of project materials, please contact [Planning@PuyallupWA.gov](mailto:Planning@PuyallupWA.gov) or (253) 864-4165.

- ◆ Development Review Team (DRT) letter, dated June 27, 2023
  - ◆ Other / Miscellaneous, received June 23, 2023
  - ◆ Site Plan, received June 23, 2023
1. Notice of Application (NOA) date, consistent with WAC 197-11-355 (Optional DNS Process)
    - i. Optional DNS notice sent on < STAFF TO COMPLETE > Comment period expired May 31, 2022
    - ii. List of recipients, comments received, and copy of NOA materials available in [Permit Portal Link](#).

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#### **B. RESPONSIBLE OFFICIAL FINDINGS OF CONSISTENCY**

The SEPA Responsible Official for the City of Puyallup hereby makes the following findings of consistency based upon a review of the environmental checklist and attachments, other information and studies on file for the project, and the policies, plans, and regulations designated by the City of Puyallup as a basis for the exercise of substantive authority (see PMC 21.04), and under the State Environmental Policy Act (SEPA) pursuant to the Revised Code of Washington (RCW) 43.21C. The following findings of consistency apply to the project and may be referenced in future (final) permit review notes and/or conditions:

##### **1. EARTH**

- i. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent storm water runoff from carrying soil and other pollutants into surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants that must be controlled with temporary erosion control measures, consistent with Puyallup Municipal Code (PMC) 21.14, Clearing, Filling and Grading, in addition to any and all permits required by other agencies. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action.

- ii. Based on the project geotechnical report, where available, and a review of available topography, LIDAR, mapped soils (NRCS) and geohazard area data (GIS), impacts to geologic hazard areas have not been identified. OR ... impacts to geologic hazard areas have been identified. All projects working within a geologic hazard area are required to comply with all applicable sections of the city's critical areas ordinance and engineering Best Management Practices.
- iii. Temporary erosion, sedimentation and construction dust control BMPs will be applied in accordance with City of Puyallup city standard section 500 – Grading, Erosion and Sedimentation Control and all engineering Best Management Practices (BMPs), in accordance with City Engineer approval.

## 2. AIR

- i. Watering of exposed soils during construction to suppress dust will limit impacts to ambient air quality resulting from the project improvements.
- ii. Building exhaust systems will be equipped with appropriate emission controls, where required by the Puget Sound Clean Air Agency and/or required by the Building Code Official.
- iii. Construction activities and vehicles being driven to and from the city can be anticipated to cause impacts on air quality and produce greenhouse gas emissions; no single point source of emissions that requires specific analysis on air quality and known to be are present as a result of the project.
- iv. No known sources of foul or offensive odors are anticipated as a result of the project.

## 3. WATER

- i. Storm water runoff will be managed and treated in accordance with the currently city-adopted version of the Department of Ecology Stormwater Design Manual (See PMC 21.10.040), all applicable city storm water standards, all applicable NPDES permit requirements, and BMPs/standard engineering practices in accordance with City Engineer approval.
- ii. The applicant shall demonstrate, to the satisfaction of the City Engineer and/or designee, that infiltration of on-site storm water is not feasible before being permitted to use alternative design(s). Where permitted, alternative designs (e.g. collection into a storm water pond and/or vault, retention/detention systems and treatment), shall adhere to all applicable city storm water requirements in city standards, shall conform to all standard engineering practices, and the applicable storm water manual design requirements as administered and approved by the City Engineer and/or designee.
- iii. The project location was not found to contain any hydrophytic vegetation, no field indications of hydric soil conditions, and no location on the project site-maintained hydrology indicative of wetlands. No areas of the project site are shown on the city's critical area maps as identified or suspected wetlands. OR ... The project is located on a property, or adjacent to lands containing known wetlands, streams, and/or other regulated aquatic resources. The project file contains a wetland report and supporting application materials show the extent of those known, regulated critical areas and

associated buffers. The project shall be reviewed in accordance with all applicable critical area standards and requirements to ensure the project does not result in significant adverse impacts to listed wetlands, streams, and/or other aquatic resources. Special mitigation may be required, in accordance with local, state and federal authority, and the applicant may be required to consult with local tribal governments.

- iv. Where projects are shown on the city's critical area maps as being within a critical aquifer recharge area or wellhead protection zone, additional review of impacts to ground water may be triggered, in accordance with standards in the city's critical areas ordinance.
- v. Activities that do not cause degradation of groundwater or significantly impact the recharge of ground water aquifer may be permitted in a critical aquifer recharge area; provided, that the project complies with the city storm water management regulations and other applicable local, state, and federal regulations.
- vi. All developments in the 100-year floodplain are required to meet the standards of PMC 21.07, flood control ordinance, and any other required state and/or federal standards. Applicants are encouraged to consult with FEMA region X regarding their project if located in the regulated (100-year) floodplain.
- vii. Groundwater diversions, dewatering activities and/or construction-related ground water withdrawals may occur as a part of this project due to presence of high/perched ground water table/levels at the time of construction. However, any ground water diversions, withdrawals, dewatering, or other forms of ground water management that occur during site construction will be mitigated using engineering BMPs, as stipulated by the city standards manual, NPDES permits, current Department of Ecology storm water manual (in effect at the time of permitting), and standard engineering practices.

#### 4. PLANTS

- i. The project will meet PMC 20.58 Landscaping Requirements, PMC 11.28 Street Trees, and will be consistent with the city's Vegetation Management Standards manual (PCD-5-11).
- ii. Any significant or heritage designated trees are required to be retained on site, where applicable. Trees and vegetation associated with critical areas, such as wetlands, steep slopes, streams/rivers, or other aquatic resources, and trees important to the overall function of adjacent or on site bird, fish and other terrestrial animals may be required to be retained, where applicable.
- iii. All trees shall be maintained in a manner consistent with accepted pruning and care standards as outlined in applicable ANSI A300 standards.

#### 5. ANIMALS

- i. No federally listed endangered species, state threatened species or habitat, or state sensitive species are known to inhabit within the project boundaries.
- ii. The project is near aquatic resources that support listed species of salmonids; Clarks Creek and the Puyallup River systems are salmon-bearing, supporting chinook, coho, and chum salmon, steelhead, and cutthroat trout. The project will be reviewed in accordance with all applicable critical area and habitat assessment standards and requirements to ensure the

project does not result in significant adverse impacts to listed species or habitat. Special mitigation may be required, in accordance with local, state and federal authority, and the applicant may be required to consult with local tribal governments.

## **6. ENERGY AND NATURAL RESOURCES**

- i. The project will be compliant with the Washington State Energy code and all applicable regulations in the latest edition of the applicable version of the Building Code, as adopted by the city applicable to the project construction type.
- ii. The project is not anticipated to impact solar access for the subject property or adjacent properties.
- iii. The project is anticipated to use various forms of energy, such as local electric power, natural gas, solar, and is not anticipated or known to generate a need for power or energy that would necessitate mitigation or specific service provisions not normally anticipated by service providers.

## **7. ENVIRONMENTAL HEALTH**

- i. If soil contamination is suspected, discovered, or occurs during the proposed construction, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, the Washington State Department of Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office (SWRO) at (360) 407-6300.
- ii. If greater than 250 cubic yards of inert, demolition, and/or wood waste is used as fill material, a Solid Waste Handling permit may be required (WAC 173-350-990). It is the responsibility of the applicant to check with the Tacoma Pierce County Health Department for any permitting requirements that may be required.
- iii. The project is not anticipated to contain increased or unusual risks related to fire hazards, explosive materials, toxic chemical storage or manufacture, hazard waste spill risk, nor is the project anticipated or known to increase the risk of health hazards to the environment.
- iv. In addition to any required asbestos abatement procedures, the applicant should ensure that any other potentially dangerous or hazardous materials present, such as PCB-containing lamp ballasts, fluorescent lamps, and wall thermostats containing mercury are removed prior to demolition. PCBs are increasingly being found in caulking and paint. It is important that these materials and wastes are removed and appropriately managed prior to demolition. It is equally important that demolition debris is also safely managed, especially if it contains painted wood or concrete, treated wood, or other possibly dangerous materials. Please review the "Dangerous Waste Rules for Demolition, Construction, and Renovation Wastes," on Ecology's website at:

[www.ecy.wa.gov/programs/hwtr/dangermat/demo\\_debris\\_constr\\_materials.html](http://www.ecy.wa.gov/programs/hwtr/dangermat/demo_debris_constr_materials.html).

## **8. NOISE**

- i. No significant adverse environmental impacts related to noise are anticipated or known to result due to the project.

- ii. Project construction noise shall be compliant with PMC 6.16 – Noise, including time limitations on construction activities starting and stopping work activities for both weekdays and weekends. Special conditions may apply to the project and additional noise mitigation may be applied by the City Engineer or Code Compliance Department during construction.

**9. LAND USE, COMPREHENSIVE PLAN AND SHORELINE USE**

- i. The project is located in the **CG** zone and the **AOC** comprehensive plan designated area and is generally consistent with the policies adopted in the Comprehensive Plan, Shoreline Master Program, and all other plans, where applicable to the development proposal, and shall be consistent with the zoning code regulations applicable to the project.
- ii. The site development construction plans (civil, building, etc.) shall follow all applicable codes in effect at the time of final construction permit submittal and shall conform to all applicable conditions outlined in the “Final Development Review Team (DRT) letter” available in the project case file.
- iii. **The site is not presently being utilized for working forest or farmland and, as such, is not converting forest farm, agricultural or other resource lands urban land uses not otherwise contemplated in the city’s Comprehensive Plan.**
- iv. All demolition work will be compliant with the city’s requirements for demolition approval and will be required to notify the Puget Sound Clean Air Agency prior to demolition work commencing. Asbestos surveys and any required abatement will be required during demolition permitting/actions.
- v. **The project contains the critical areas noted below.** The project has been reviewed for consistency with the city’s critical areas ordinance (PMC 21.06).

CRITICAL AREA	
X	Critical aquifer recharge area
X	10-year wellhead protection area
X	5-year wellhead protection area
X	1-year wellhead protection area
X	Geologic hazard area – Volcanic hazard area
X	Geologic hazard area – Landslide hazard area
X	Geologic hazard area – Erosion hazard area
X	Geologic hazard area – Seismic hazard areas
X	Wetland and wetland buffer
X	Fish and Wildlife Conservation Area - Stream and/or stream buffer
X	Fish and Wildlife Conservation Area – General habitat area
X	Flood prone area – 100-year floodplain
X	Shoreline of the State

**10. HOUSING**

- i. **The project, once completed, will result in the construction of a residential project which is consistent with the city’s Housing Element and Land Use policies in the Comprehensive**

Plan and applicable zoning code standards intended to implement the Comprehensive Plan.

- ii. The project will not adversely impact existing housing units or affect the development of housing units in the general vicinity of the project area.

## **11. AESTHETICS**

- i. The project will be consistent with the height limitation outlined in the applicable zone district, as stipulated by the Puyallup Municipal Code (title 20, zoning). No view corridors were identified to be impacted as a result of the project.
- ii. The project shall comply with all applicable design review requirements, site plan design requirements, and all design review overlay district standards/guidelines, as applicable to the project, at the time of final permit submittal, or submittal to the Design Review Board for approval.

## **12. LIGHT AND GLARE**

- i. Exterior lighting fixtures shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Said lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground-mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise.
- ii. Street lighting, in accordance with city standards, will be provided as a part of the project.

## **13. RECREATION**

- i. The project shall pay the adopted park impact fee (in the amount required by ordinance at the time of adoption) for each residential unit upon issuance of a building permit for each subject unit, per PMC 21.20.120.
- ii. The project shall provide required open spaces, as stipulated by the city's municipal code, where applicable, to provide appropriate levels of recreational and leisure space for users of the proposed project.
- iii. The project will not disrupt, displace or otherwise adversely impact any existing recreational opportunities in the area.

## **14. HISTORIC AND CULTURAL RESOURCES**

- i. In the event that suspected historic artifacts, cultural artifacts, or objects of suspected archaeological value are discovered during site excavation, grading or other forms of site development/construction, all work on site shall stop immediately. This applies to all development activities that involve excavation regardless of exemption from permit requirements outlined in PMC 21.14.190.
- ii. The property owner/developer shall notify the City, the State Department of Archaeology and Historic Preservation (DAHP), the Puyallup Tribe of Indians, and the Muckleshoot Indian Tribe of any such findings. In these cases, the property owner/developer shall be required to provide for a site inspection and evaluation by a professional archaeologist or

historic preservation professional, as applicable, in coordination with the state and/or affected tribes.

- iii. The project applicant and/or contractor may be required to complete an Inadvertent Discovery Plan (IDP), to the approval of the city, WA State Department of Archeology and Historic Preservation and affected Tribal governments. The IDP shall be completed in a form supplied by the Department and shall be completed prior to issuance of the civil permit for the site.

## **15. TRANSPORTATION**

- i. Staff has reviewed and approved the traffic impact analysis or traffic scoping worksheet and adequacy of sight distance in relation to the project. The project case file contains applicable reports; all reports submitted shall be reviewed by the Traffic Engineer and City Engineer, for consistency with the municipal code and city standards. In accordance with city policy, Traffic review staff shall analyze vehicular impacts to surrounding intersections which will receive more than 25 PM peak hour vehicle trips for changes to the level of service standards and/or operational impacts; special mitigation, proportionate with the project impacts, may apply to the proposal.
- ii. Per PMC 21.20.130, the applicant is required to pay a traffic impact fee (in the amount required by ordinance at the time of adoption) at the time of building permit issuance for the subject project.
- iii. The project shall be compliant with all standards contained in PMC title 11, Streets and Sidewalks, including roadway improvements, street trees and street lighting.
- iv. The project shall be compliant with the Comprehensive Plan Transportation Element and implementing Active Transportation Plan. Right of way width to accommodate the future addition of pedestrian and bicycle facilities.
- v. The project shall comply with PMC 20.55 – off-street Parking Regulations.

## **16. PUBLIC SERVICES**

- i. A resulting need for additional public services, such as police protection, fire protection, library, various other municipal services, etc. can be anticipated from the project. However, this determination does not anticipate that the project will impact city services and utilities in a manner that would reduce the Level of Service (LOS) for the applicable utilities as adopted in the city's Capital Facilities Element.
- ii. The project shall comply with the applicable school impact fee, consistent with the currently adopted fee amount at the time of building permit issuance, per PMC 21.20.140.
- iii. The project shall comply with the applicable parks impact fee, consistent with the currently adopted fee amount at the time of building permit issuance, per PMC 21.20.140.

## **17. UTILITIES**

- i. Domestic water will be provided by the water purveyor serving the site. The applicant shall provide a water availability letter/documentation to ensure adequate water can be supplied to the project.



- ii. Sanitary sewer service shall be provided to the development in accordance with city standards. OR The project is served by an onsite septic system, or is too far from available sanitary sewer utilities to connect. The project shall receive approval from the Tacoma Pierce County Health Department (TPCHD) for use of on site septic systems. The city may need to review septic system proposals for impacts to on site or adjacent critical areas.
- iii. Electricity, natural gas, refuse/recycling collection, internet and landline telephone service is provided by private utilities; property owner and/or applicant to determine availability of those private utilities to be provided on site.

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Issuance of this threshold determination does not constitute approval of the permit. This proposal will be reviewed for compliance with all applicable City codes that regulate the applicable development activities, including, but not limited to, the International Fire/Building/Residential Codes, City of Puyallup Engineering Standards, Zoning Code, Surface Water Design Manual, Impact Fees, and the Critical Areas Ordinance.

#### **DETERMINATION OF NON-SIGNIFICANCE (DNS)**

Upon review of applicable documentation, the responsible official of the lead agency hereby finds that this proposed permit action would not result in a probable significant adverse impact on the environment. The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA.

An Environmental Impact Statement (EIS) is not required, under RCW 43.21C.030 (2) (c). This finding is made pursuant to RCW 43.21C, PMC 21.04.120 and WAC 197-11 after reviewing a completed environmental checklist and other information on file with the lead agency. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public upon request.

#### **MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS)**

The responsible official of the lead agency finds that the above-described proposal does not have a probable significant adverse impact on the environment, provided the mitigation measures (attached) are incorporated into the proposal and applied as conditions of permit issuance. The identified mitigation measures include mitigation for potential impacts to the following:

##### **A. Transportation, Plants**

The full text of the identified mitigation measures appears in Attachment A to this document. The mitigation measures and the project documents upon which this determination was based are available for review at the Puyallup Development Services Center, 333 South Meridian, during normal business hours.

An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(c).

This finding is made pursuant to RCW 43.21C, PMC 21.04.120 and WAC 197-11 after reviewing a completed environmental checklist and other information on file with the lead agency as well as considering mitigation measures that the agency or the applicant will implement as part of the

proposal. The responsible official finds this information reasonably sufficient to evaluate the environmental impact of this proposal. This information is available to the public upon request.

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## COMMENTS

Comments on this preliminary **MDNS / DNS** must be submitted within 14 days or by **3:00 p.m.** on **May 31, 2022** to the Responsible Official at City of Puyallup Development Services Center. Comments will be accepted by mail, or (preferably) by email.

- Please mail to: Development Services Department, Attn: Michelle Ochs, 333 S Meridian, Puyallup, WA 98371.
- To submit comments electronically, please send via E-mail to: [Planning@PuyallupWA.gov](mailto:Planning@PuyallupWA.gov) ; or contact the case planner below.
- Nabila Comstock, Assistant Planner at (253) 770-3361 or [NComstock@PuyallupWA.gov](mailto:NComstock@PuyallupWA.gov)

## --OR--

Consistent with WAC 197-11-355, the Lead Agency issued a Notice of Application on **< STAFF TO COMPLETE >** with a single integrated comment period to obtain comments on the notice of application and the likely threshold determination for the proposal. Therefore, consistent with the optional DNS process outlined in WAC 197-11-355, there is no further comment period for the subject Determination.

## APPEALS

Consistent with WAC 197-11-545 regarding commenting parties and agencies, an appeal the subject **MDNS / DNS** may be filed via a written request with the SEPA Responsible Official by applicable parties and agencies within **10 days of expiration of the comment period --OR-- within 10 days of the issuance of this DNS, or by 3:00 pm on < STAFF TO COMPLETE >**

Appeals will be accepted by mail, or (preferably) by email. ~~Please call the case planner listed below prior to submission of an appeal to make arrangements for submittal of the appeal documents.~~

- Please mail to: Development Services Department, Attn: Michelle Ochs, 333 S Meridian, Puyallup, WA 98371.
- To submit an appeal electronically, please send via E-mail to : [Planning@PuyallupWA.gov](mailto:Planning@PuyallupWA.gov) and [PermitCenter@PuyallupWA.gov](mailto:PermitCenter@PuyallupWA.gov) ; and/or contact the case planner below.
- Nabila Comstock, Assistant Planner at (253) 770-3361 or [NComstock@PuyallupWA.gov](mailto:NComstock@PuyallupWA.gov)

Prior to submittal and payment of the \$650.00 appeal fee, consult PMC 21.04.205 regarding SEPA Appeals or contact the SEPA Responsible Official at [Planning@PuyallupWA.gov](mailto:Planning@PuyallupWA.gov) or (253) 864-4165 to ask about the appeal procedures. Be prepared to make specific factual reasons, rationale, and/or the

basis for the appeal. ~~This determination will become final if no formal appeals are filed and/or reconsideration requests are made by the expiration date listed above.~~

Publication Date: < STAFF TO COMPLETE >

Notice Published in: Tacoma News Tribune



Nabila Comstock  
Assistant Planner

June 27, 2023

Date



Katie Baker, AICP  
City of Puyallup SEPA Responsible Official

June 27, 2023

Date

Attachments:

- A. Mitigation Measures
- B. Site Plan
- C. Environmental Checklist

## Attachment A

### Mitigation Measures for Project # PLPSP20220079

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#### 1. Transportation: